

DRAWING AMENDMENTS

Enclosed are Replacement Sheets for the drawings currently on file, in response to the drawing objection made by the Examiner at page 2, first paragraph of the Official Action dated February 6, 2007.

## REMARKS

Enclosed herewith are corrected Replacement Drawings to be substituted for the drawings currently on file in this patent application. Applicant submits that the filing of the corrected Replacement Drawings overcomes the objection to the drawings raised by the Examiner at page 2, paragraph 1 of the Official Action dated February 6, 2007.

At page 2 of the Official Action, all pending Claims 6, 19 and 20 have been rejected under 35 U.S.C. Section 103(a) as being obvious over a combination of the Cole patent (U.S. Patent No. 3,646,244) in view of the Byrne patent (U.S. Patent No. 4,747,788). For the reasons to be discussed below, Applicant respectfully disagrees with this basis for prior art rejection, and submits that the pending claims are allowable over the combined prior art references.

In support of the prior art rejections, the Examiner states that the Cole patent discloses "...means 45a, 45b for resiliently biasing the receptacle unit into said extended position, and cooperating releasable locking means 27, 37 for opposing said biasing means...". Applicant respectfully disagrees with the Examiner's conclusion regarding these elements disclosed in the Cole patent. As extensively discussed in the Amendment filed on October 26, 2006, elements 45a and 45b of the Cole patent do not resiliently bias the receptable unit into an extended position.

On the contrary, these elements do not exert a force on the housing 10 to move it from its recessed position in the casing 16 (as shown in Fig. 1) into its extended position above the casing 16 (as shown in Fig. 4). By the express disclosure of the Cole specification, the housing 10 is moved manually from its recessed position into its extended position by a lifting handle, and there is no resilient means acting on the housing to urge it into its extended position. See the Cole specification, starting at column 4, line 73, which states:

"When the floor receptacle housing 10 is to be withdrawn from the casing 16 to its in-use position above the concrete floor, the cap 50 is rotated in a counterclockwise direction by turning a coin or a similarly shaped object positioned in the slot 53. The initial turning of the cap 50 provides for loosening the latch member 55...Latch member 55 is now free to move upwardly by the force of a spring 54 such that the bolt 51 and cap 50 pop up, as shown in Fig. 4, so as to provide a convenient handle for lifting the housing 10 out of the casing 16. [Col. 4, line 73 - Col. 5, line 16; emphasis added].

Therefore, the housing 10 is moved into its extended position relative to the casing 16, not by a resilient bias acting on the housing, but by manual force on a handle to lift the housing 10 from the casing 16.

Elements 45a and 45b are spring-supported stops, which are oriented laterally relative to the outer sidewall of the housing. When the housing is lifted upwardly relative to the casing to a position in which elements 45a and 45b are elevated above the top

of the casing, stops 45a and 45b snap outwardly onto a flange 27 to support the housing in its extended position. Thus, elements 45a and 45b do not urge the housing into its extended position, but on the contrary, elements 45a and 45b only retain the housing in its extended position after the housing has been manually lifted from the recess by the lifting handle. The Cole specification, starting at Column 5, line 17 expressly states:

"As described previously, the housing 10 is lifted until gasket 31 on bottom cover plate 30 bears against the bottom end of casing 16 at which time the spring-supported stops 45a and 45b snap out into flange 27 to support the housing 10 in its withdrawn position..." [Col. 5, lines 17 - 21].

Thus, the spring-supported stops 45a and 45b of the Cole device do not resiliently bias the housing into its extended position, but on the contrary, serve a completely different function - these elements retain the housing in its extended position, against gravitational forces, relative to the casing only after the housing has been fully lifted a predetermined distance above the casing.

When the housing is to be returned to its recessed position in the casing, stops 45a and 45b are pressed inwardly, and the housing is then manually lowered back into the casing into its recessed position. The Cole specification, starting at Col. 5, line 21, expressly states:

"...When it is desired to again position the housing into its recessed position in the floor, the stops 45a and 45b

can be pressed inwardly and the housing 10 is then lowered down into the casing 16 while being held by cap 50..." [Col. 5, lines 21 - 24].

Applicant respectfully submits that it is clear from the disclosure of the Cole specification that elements 45a and 45b are not means for resiliently biasing the housing into its extended position relative to the casing, but on the contrary, are stops or retaining means for retaining the housing in its extended position against gravitational forces acting thereon, only after the housing has been manually lifted from the casing. As noted above, the stops 45a and 45b are movable only in a direction transverse or lateral to the direction of the housing relative to the casing, and therefore cannot exert a resilient bias on the housing urging it into its extended position relative to the casing.

The Official Action also states that the Cole patent discloses "cooperating releasable locking means 27, 37 for opposing said biasing means". Applicant respectfully disagrees with this conclusion. Element 27 of the Cole patent is a flange which cooperates with the stops 45a and 45b to retain the housing in its extended position after the housing is manually lifted from the casing. Flange 27 is defined on a trim ring 37 (See Col. 4, lines 15 - 16). The Cole specification expressly discloses, starting at Col. 5, lines 17 - 21:

"As described previously, the housing 10 is lifted until gasket 30 on bottom cover plate 30 bears against the bottom

end of casing 16 at which time the spring-supported stops 45a and 45b snap out into flange 27 to support the housing 10 in its withdrawn position..." [Col. 5, lines 17 - 21, emphasis added].

Therefore, elements 27, 37 of the Cole device do not provide releasable locking means to maintain the housing in the casing, opposing a resilient bias, as disclosed and claimed by Applicant. On the contrary, elements 27, 37 of the Cole device are provided for a totally different function - to retain the housing in its extended position relative to the casing after the housing has been manually lifted from the casing, and not to oppose the force on the housing urging it into its extended position.

Applicant respectfully submits, for the reasons discussed, and in the Amendment filed on October 26, 2006, that the stops 45a and 45b disclosed in the Cole specification do not provide means for resiliently biasing the receptacle into an extended position, as disclosed and expressly claimed by Applicant, and that the Cole specification does not disclose cooperating releasable locking means for opposing the means for resiliently biasing and maintaining the receptacle unit in a retracted position, as disclosed and expressly claimed by Applicant. On the contrary, stops 45a and 45b disclosed by Cole do not exert a resilient bias on the housing 10 urging it into its extended position relative to the casing 16, and the elements 27, 37 do not provide releasable locking means opposing any bias urging the housing into its extended position relative to the casing. By the express disclosure of the Cole specification, the housing 10

is manually lifted into its extended position relative to the casing, and the stops 45a and 45b cooperate with elements 27, 37 to retain the housing in its extended position (and not to retain the housing in its recessed position within the casing), as disclosed and expressly claimed by Applicant.

While not addressed in the Official Action, the Cole specification also discloses a spring 54 which acts only upon the latch member 55, and a spring 60 which is disposed around the bolt 51. Neither of these springs exert a resilient bias on the housing 10 urging the housing into its extended position relative to the casing. Springs 54 and 60 are provided to perform different functions, as more fully discussed at page 7, second paragraph of the Amendment filed on October 26, 2006. As noted above, the housing 10 of the Cole device is moved into its extended position relative to the casing only by manually lifting the housing with a handle, and not by any resilient bias applied to the housing.

Independent Claims 6 and 19 expressly recite "means for resiliently biasing said receptacle unit into said extended position", and "cooperating releasable locking means for opposing said means for resiliently biasing for retaining said receptacle unit in said retracted position". As discussed herein, the Cole specification does not teach or suggest either of these two features expressly recited in independent Claims 6 and 19. Therefore, a combination of Cole and Byrne, as proposed in the

latest Official Action, does not teach or suggest independent Claims 6 and 19 when all positively recited features of these claims are considered in the patentability determination.

Applicant respectfully submits that independent Claims 6 and 19 are allowable over the prior art applied in the Official Action. Independent Claim 20, which includes all features of parent independent Claim 19, is allowable over the prior art at least for the same reasons as parent independent Claim 19.

Applicant respectfully submits that this application is in condition for allowance, and favorable action is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark P. Stone', written in a cursive style.

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